

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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D.N. KELLEY & SON, INC.,

Plaintiff,

vs.

F/V RESILIENCE (*ex F/V BULLWINKLE*):
(O.N. No. 660487), her engines, tackle, apparel,
appurtenances, etc., *in rem*,

Defendant.
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CIVIL ACTION NO.

03 12593 RWZ

ORDER FOR *IN REM* ARREST

This Court has reviewed the Verified Complaint, *Ex Parte Motion for In Rem Arrest* and supporting papers filed by plaintiff in the above-captioned matter. Upon consideration thereof, this Court has determined that the conditions for an *in rem* arrest pursuant to Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist. Accordingly, it is hereby:

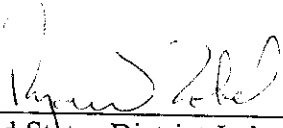
ORDERED, that the Clerk shall issue forthwith a *In Rem* Warrant of Arrest for defendant vessel F/V Resilience (*ex F/V Bullwinkle*)(O.N. No. 660487)(hereinafter referred to as "Vessel") directing the United States Marshal to proceed with all deliberate speed and arrest said Vessel which is now located at D.N. Kelley & Son, Inc., 32 Water Street, Fairhaven, Massachusetts, or any other location within the District of Massachusetts; it is further

ORDERED, that any person claiming an interest in said Vessel pursuant to this Order shall upon application to this Court and notice to plaintiff or its attorney be entitled to a prompt hearing at which plaintiff shall be required to show cause why the arrest should not be vacated or other relief granted; it is further

ORDERED, that the United States Marshal shall attach and serve a copy of this Order with the *In Rem* Warrant of Arrest upon defendant Vessel; and it is further

ORDERED, that plaintiff's counsel shall serve a copy this Order, together with the Summons, Verified Complaint, and *In Rem* Warrant of Arrest upon the owner of the Vessel.

Dated at Boston, Massachusetts on this 23rd day of December, 2003.



United States District Judge

Submitted by:
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